

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION

JTH TAX, INC. d/b/a LIBERTY TAX  
SERVICE,

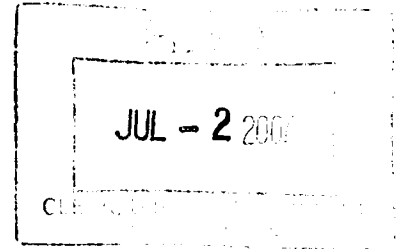
Plaintiff,

Civil No. 2:07cv154

v.

NIEN VAN,

Defendant.



**AGREED PERMANENT INJUNCTION AND DISMISSAL ORDER**

THIS DAY CAME the parties, the plaintiff by counsel and the defendant, pro se, and represented that all matters in controversy had been resolved and settled and that as part of that settlement the parties have agreed to the permanent injunctive relief set forth below;

UPON THE PARTIES' AGREEMENT, and it appearing proper to do so, the Court hereby ORDERS that the defendant, Nien Van ("Van"), and all persons and entities in active concert or participation with her shall, within seven (7) calendar days of the date of entry of this Order-

(a) discontinue further use of the marks "Liberty Income Tax," "Liberty Tax Service," and "Liberty Tax Service" and design, or any mark confusingly similar thereto;

(b) deliver to Liberty all copies, including electronic copies, of lists and other sources of information containing the names of customers who patronized Van's former Liberty Tax Service business;

(c) deliver to Liberty all customer tax returns, files, records and all copies thereof;

(d) deliver to Liberty its Operations Manual and all updates which Liberty loaned to Van;

(e) through March 13, 2009 not directly or indirectly prepare or electronically file income tax returns, or offer Bank Products, within her former Liberty Territory known as TX272 or within 25 miles of the boundary of such Territory; and

(f) through March 13, 2009 not directly or indirectly, within the Liberty Territory TX272 or within 25 miles of the boundaries of such Territory, solicit the patronage of any person or entity served by Van's prior Liberty office during the time period March 13, 2006 through March 13, 2007 for the purpose of offering such person or entity tax preparation, electronic filing or Bank Products; and

(g) abide by all post termination obligations contained in paragraphs 9 and 10 of Van's Franchise Agreement.

FURTHER ORDERED that this Court retains jurisdiction of this matter for purposes of enforcing this Order but otherwise orders this matter dismissed.

ENTER:

  
**Raymond A. Jackson**  
**United States District Judge**

Judge

DATE:

7/2/07

WE ASK FOR THIS:

JTH Tax, Inc. d/b/a Liberty Tax Service

By: Vanessa Szajnoga

Vanessa M. Szajnoga (VSB #71500)  
Corporate Counsel  
Liberty Tax Service  
1716 Corporate Landing Parkway  
Virginia Beach, VA 23454  
Telephone number: 757-493-8855  
Fax number: 757-493-0169  
Email: Vanessa.Szajnoga@libtax.com

Nien Van

By: Nien Van

Nien Van  
2223 Post Oak  
Portland, Texas 78374  
(361) 215-9622